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Immigration, the War on Terror and the Rule of Law

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Author and Journalist

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MICHELLE MALKIN, a former editorial writer for the *Seattle Times* and the *Los Angeles Daily News*, writes a syndicated column for Creators Syndicate that appears in over 100 papers nationwide. She is a FOX News commentator and a frequent guest on the *O'Reilly Factor* and *Hannity & Colmes*. Her recent book, *Invasion: How America Still Welcomes Terrorists, Criminals, and Other Foreign Menaces to Our Shores* (Regnery, 2002), ranked as high as #14 on the *New York Times* bestseller list. The daughter of Filipino immigrants and a graduate of Oberlin College, she lives with her husband and daughter in Maryland.

The following is adapted from a speech delivered at a Hillsdale College seminar in Rancho Mirage, California, on February 18, 2003.

The voice of New Americans who reject political correctness and the cult of multiculturalism has been sorely missing from the debate on immigration policy. September 11 helped shatter that silence. Over the past year, I've heard from countless readers, first- and second-generation Americans like myself and my family, who reject open borders and immigration anarchy. We are sick and tired of watching our government allow illegal line-jumpers, killers, and America-haters to flood our gates and threaten our safety. We are sick and tired of watching ethnic minority leaders cry "racism" whenever Congress attempts to shore up our borders. And we are especially sick and tired of business leaders, lobbyists, and lawmakers from both major parties caving in, forsaking leadership — and selling out our national security.

A year-and-a-half after September 11, we have new laws, new agencies, and lots of new government spending to fight off foreign invaders. But our immigration policies leave the door to our nation open wide to the world's law-breakers and evildoers:

* According to the Immigration and Naturalization Service, at least 78,000 illegal aliens from terror-supporting or terror-friendly countries live in the U.S. They are among an estimated seven to eleven million illegal aliens who have crossed our borders illegally, overstayed visas illegally, jumped ship illegally and evaded deportation orders illegally.

* More than 300,000 illegal alien fugitives, including 6,000 from the Middle East, remain on the loose despite deportation orders.

* Last year, at least 105 foreign nationals suspected of terrorist involvement received U.S. visas because of lapses in a new background check system.

* There is still no systematic tracking of criminal alien felons across the country.

* Sanctuary for illegal aliens remains the policy in almost every major metropolis.

* And "catch and release" remains standard operating procedure for untold thousands of illegal aliens who pass through the fingers of federal immigration authorities every day.



My book, *Invasion*, argues in great detail that our current immigration and entrance system is in shambles, partly by neglect, partly by design. From America's negligent consular offices overseas, to our porous air, land, and sea ports of entry, to our ineffective detention and deportation policies, our federal immigration authorities have failed at every level to protect our borders and preserve our sovereignty.

As the daughter of legal immigrants from the Philippines, I have never taken for granted the rights and responsibilities that come with citizenship. The oath my parents took — in English — when they were naturalized resonated even more powerfully with me after September 11:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God.

Patriotism surged after the September 11 attacks, but not among some ethnic advocacy groups. Hyphenated leaders who favor lax immigration policies characterized attempts to protect our borders from all enemies, foreign and domestic, as an unnecessary “backlash”: Arab-American leaders complained that Arab-Americans were being singled out by the feds, Hispanic leaders complained that Hispanics were being singled out by the feds, etc. Meanwhile, at American airports, grandmothers and Medal of Honor recipients actually *were* being pulled aside and singled out by the feds.

These ethnic complainers were joined by profit-driven immigration lawyers, university officials and corporate executives, as well as vote-driven political strategists in both major parties, who refused to put the national interest above their own narrow interests. Contrary to their misguided claims, the demand for a more discriminating immigration policy — one that

welcomes American Dreamers and bars American Destroyers — does not stem from fear or hatred of foreigners, but from self-preservation and love of country.

An Undeclared War

Last fall, I met a wonderful family from Cadillac, Michigan. Bonnie and Bob Eggle brought their daughter Jennifer, along with several cousins, aunts, uncles, and a family friend, to the nation's capital. But the Eggles were not in Washington, D.C., on a sightseeing tour. Bonnie and Bob traveled to the Beltway because their only son, Kris, was killed over the summer along the U.S.-Mexico border by gun-toting Mexican drug dealers. The Eggles came to town to get someone — anyone — in official Washington to pay attention to the war no one wants to talk about these days: the War On America's Borders.

Kris worked as a U.S. Park Service Ranger at Organ Pipe National Monument in southern Arizona, which is considered one of the most dangerous federal parks in the nation. As many as 1,000 illegal aliens a day trample across Organ Pipe — trashing our fences, ruining the environment, breaking our laws and endangering lives. It's a smugglers' paradise and a national security nightmare.

“We have caught people from China, Pakistan and Yemen coming through,” says Bo Stone, an Organ Pipe ranger and close friend of Eggle. “If 1,000 illegal immigrants can walk through the desert here, so can 1,000 terrorists.”

Some 200,000 illegal border-crossers and 700,000 pounds of drugs were intercepted at Organ Pipe last year alone. According to Border Patrol agents, foreign invaders are so brazen that they've actually cleared their own private roads through the park. On August 9, 2002, Kris Eggle joined Border Patrol agents in pursuit of armed Mexican bandits. During the chase, he was ambushed. An Eagle Scout, high school valedictorian, champion cross-country runner in college and All-American guy, he was cut down by a sniper hidden in the desert brush with an AK-47. He took a bullet just below his protective vest and died on a dirt path before medics arrived. The Eggles celebrated Kris's 29th birthday at his hometown gravesite.

In his spare time, Kris's father used to volunteer to help fix the fences along our southern border near where his son worked. “It is obscene,” Bob Eggle told me, “how little our



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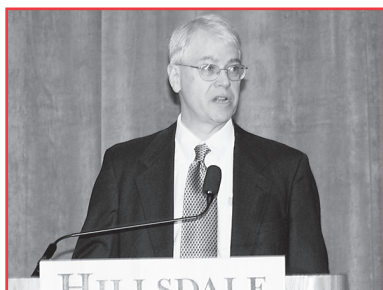
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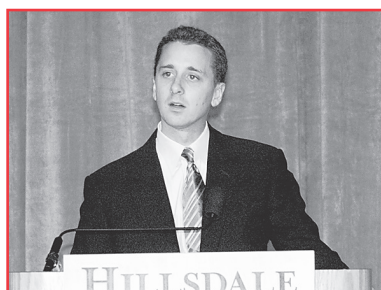
Educating for Liberty Since 1844



Donald R. Mossey, '51 (center), retired as Chairman of the Board of Trustees at Hillsdale College after 28 years of dedicated service, though he will continue as a member of the Board. Pictured with him are Hillsdale College President Larry P. Amn (left) and newly elected Chairman William J. Brodbeck, '66.



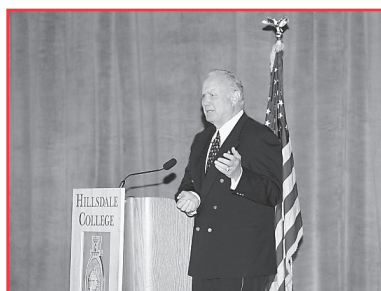
Thomas G. West, professor of politics at the University of Dallas, explains how today's faulty understanding of the First Amendment stifles rather than protects free speech.



Sky Dayton, chairman and founder of Earthlink Networks, Inc., discusses the Internet and the continued importance of education grounded in character and morality.



20th Anniversary **SHAVANO** INSTITUTE



H. Norman Schwarzkopf, U.S. Army, Retired, and commander of American forces in the 1991 Gulf War, offered lessons on leadership in difficult times to the Hillsdale audience.

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government cares about protecting the border.” Referring to a century-old family farm in northern Michigan, Bob noted, “The worst cow fence on our farm is better than the best fences at the border.”

Nor is Kris Eggle’s murder an isolated incident. Several shootouts in the Southwest have occurred since last April, some even involving incursions by Mexican military officers suspected of collaborating with criminal drug dealers. Just last week, a Border Patrol agent was stoned in the head along the Tucson sector by a gang of illegal border-crossers. And again — as Kris’s friend and fellow park ranger Bo Stone also points out — our southern borders remain open channels not only for illegal aliens and smugglers, but for terrorists.

The story is the same on the northern border, where a few months ago two reporters for the *Toronto Star* illegally crossed a dozen easy entry points between the boundaries that separate Quebec from Vermont and New York. Mangled fences and battered stop signs spray-painted with “U.S.A.” are all that stand in the way. In Washington State, Montana and North Dakota, broken cameras and orange rubber cones are often the only objects that guard against intrusion. Yet calls for increased border patrol resources, park ranger staffing and military help have been ignored in Washington, D.C..

Kris Eggle’s murder in August 2002 came just weeks before my book, *Invasion*, hit the shelves. But his death is like so many of the deaths of innocent Americans I document in the book and in subsequent columns — brutal, tragic, unnecessary and undeniably linked to our federal government’s systemic refusal to enforce immigration laws:

* Six people died and thousands were wounded in the 1993 World Trade Center bombing at the hands of illegal aliens from Palestine, Egypt, Jordan, and Pakistan who freely overstayed their visas and exploited our loophole-ridden asylum system.

* Twelve people died from 1997 to 1999 at the hands of illegal alien serial killer Angel Resendiz, who traipsed back and forth freely across the U.S.-Mexican border.

* Five law enforcement officers, from Virginia to California, were gunned down in cold blood by illegal border-crossers and visa-violators whom the INS failed to apprehend and deport.

* Three thousand people died on September 11, 2001, at the hands of 19 al-Qaeda terror-

ists who slipped past our snoozing State Department and INS. Five of the terrorist hijackers had freely overstayed student, tourist and business visas.

* Last fall, ten people died at the hands of sniper suspects John Muhammad and Lee Malvo. Muhammad had been stopped in Miami for attempted smuggling of illegal aliens, but was never prosecuted. Malvo was himself an illegal alien from Jamaica who had been apprehended by Border Patrol agents in Washington State, but then released pending deportation against Border Patrol recommendation.

In the aftermath of September 11, many advocates of unrestricted immigration on both the left and the right remain stuck in a pre-war mentality. They continue to argue that there is no connection between controlling illegal immigration and protecting national security. This unrepentant “open borders” crowd ranges from liberal Democrats Tom Daschle and Dick Gephardt, to the conservative *Wall Street Journal* editorial page and certain Bush administration officials. They consider it “scapegoating” to link lax immigration enforcement to September 11, and hold to the fatally flawed belief that we can allow millions of “good” illegal immigrants to stream across the borders while retaining the ability to screen out “bad” illegal immigrants who are seeking to destroy us.

Broken Windows, Broken Fences and Beyond

In my book and columns on U.S. immigration policy, I try to focus on a question that I think is key to framing the border security debate in the post-September 11 world: What do broken fences at the border have to do with the broken buildings at Ground Zero? Or to put it another way: How does preventing another death like Kris Eggle’s relate to preventing another September 11?

To answer these questions, we must turn our attention to one of the most influential theories of crime in recent history. It was 21 years ago that criminologists George Kelling and James Q. Wilson introduced this theory in a groundbreaking article in *The Atlantic* called “Broken Windows: The police and neighborhood safety.” Their argument was simple: Rampant crime is

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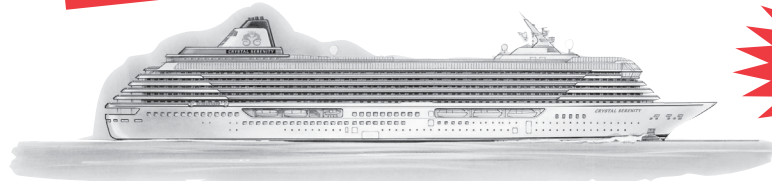
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the inevitable result of disorder. If a window in a building is broken and left unrepaired, people walking by will conclude that no one cares and that no one is in charge. One unrepaired window is an invitation to break more windows, and lawlessness spreads outward from buildings to streets to entire communities.

On the streets, “quality-of-life” crimes — panhandling, vagrants sleeping in doorways, public urination — serve as the equivalent of broken windows. In the subways, low-level crimes like fare-jumping and petty vandalism act similarly as small but unmistakable signals that, left unchecked, invite further chaos and more violent law-breaking. Take graffiti:

The proliferation of graffiti, even when not obscene, confronts the subway rider with the inescapable knowledge that the environment he must endure for an hour or more a day is uncontrolled and uncontrollable, and that anyone can invade it to do whatever damage and mischief the mind suggests. . . .

In such an environment, according to Kelling and Wilson, citizen complaints will often be met with excuses: the police are understaffed, the courts do not punish petty or first-time offenders, etc. Soon, citizens stop calling the police, convinced they can’t do anything. Or won’t.

In the 1980s, New York City was gripped by an epidemic of violence. Each year, the Big Apple averaged more than 2,000 murders and 600,000 serious felonies, thousands of which occurred in the filthy, fear-choked subway system. Leading law enforcement officials concluded that turning back this epidemic required focusing on the relatively minor transgressions that precipitated the violence. The Transit Police, for example, cracked down on fare-beaters by stationing plain-clothed cops at turnstiles. Thus they demonstrated a clear and consistent commitment to enforcing the law. The same went for graffiti vandals. The battle was fought hour by hour, subway car by subway car.

Many factors contributed to the plummeting crime rates that marked the mid-1990s in New York City. But the turning point came when law enforcement officers shifted their focus to fixing windows, curbing vandalism and stopping low-level cheats. They created a safe environment by restoring order and respect for the law.

What is true of Broken Windows applies to Broken Fences as well. So-called minor immigration crimes — e.g., cutting through rusted barbed wire, overstaying visas, committing marriage fraud and employing illegal day labor —

lead to serious national security problems, such as rampant criminal alien gang activity, infiltration by foreign terrorist cells and internal corruption.

One broken fence goes unrepaired; vast miles of borders go undefended; hundreds of illegal border-crossers go unpunished; millions of line-jumpers win amnesty from Congress; thousands of visa overstayers are allowed to violate the rules without consequences; hundreds of thousands of fugitives from deportation are allowed to flout the law. Ultimately it becomes almost impossible for the INS to expel illegal aliens without a political and media backlash. The media even stop referring to these immigrants as illegal, instead using “less judgmental” descriptions such as “undocumented workers.” Cities begin declaring themselves “sanctuaries” for illegal immigrants, and governments at all levels begin awarding them free health care, voting rights and discounted college tuition rates. The INS Commissioner begins sending unmistakable signals to immigration law-breakers that he believes it is neither “practical” nor “reasonable” to deport them. Finally, park rangers and Border Patrol agents start taking bullets while Washington looks the other way, even amidst a war on terror.

Meanwhile, those who dare ask whatever happened to our system of laws — those who point to the government’s failure to fix its broken fences — are vilified as immigrant-bashers and racists.

The Broken Fences theory explains a lot. When scores of illegal alien day laborers are allowed to congregate openly at 7-11s and near government offices, it sends a signal that no one cares and no one is in charge. This created an environment in which September 11 hijackers Hani Hanjour and Khalid Almihdhar were able to obtain fake photo IDs from illegal alien day laborers hanging out at a 7-11 in Falls Church, Virginia, a stone’s throw from the Pentagon. It was in this same environment of disrespect for the rule of law that 1993 World Trade Center bomber Mahmud Abouhalima brazenly filed a bogus application for amnesty — under a federal program for illegal alien farmworkers — and won legal permanent residence; in which the September 11 terrorists got away with filing incomplete visa applications in clear violation of the law; and in which 21 Islamic radicals entered our country illegally during the past decade to carry out terrorist plots, from the 1993 WTC bombing, to the NYC subway bombing conspiracy, to the Los Angeles International Airport Millennium plot, to the September 11 attacks.

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Restoring Sovereignty

Open-borders advocates argue that we are a nation of immigrants. But we are first and foremost a nation of laws. Conservatives have traditionally stood for the rule of law. But Republican Party elites in Washington, D.C., continue to turn a blind eye to the immigration crisis. Indeed, as Phyllis Schlafly has noted, the Republican National Committee's mail-order surveys on important national issues omit immigration and border security. And the White House refuses even to meet with the Congressional Immigration Reform Caucus, led by Republican Congressman Tom Tancredo of Colorado.

Opponents of stricter border controls say that all we need to do to fight terrorism is reform our intelligence agencies, nibble at the edge of visa issuance reform and reshuffle INS management. They insist on going only after the big, obvious targets — suspected al Qaeda operatives applying for visas overseas — and leaving everyone else who is breaking our immigration laws alone. But as long as the stubborn signals of an immigration system in total disrepair persist, the invasion that I describe in my book will go on unabated. Foreign terrorists will read the signs

of this disregard for law — driver's licenses for illegal aliens, in-state college discounts for illegal aliens, non-enforcement of employer sanctions, rampant asylum fraud, unpunished document fraud, sanctuary, amnesty — and conclude that they can freely take advantage of it.

So what is to be done? In my book, I offer a number of policy prescriptions — a targeted visa moratorium, reforming the deportation system, increasing detention space and resources for interior enforcement, etc. But I have since come to the conclusion that it will not be the Homeland Security Department — or any top-down legislative fix emanating from Washington — that turns things around. The solution will have to begin with ordinary citizens and local and state officials who understand what Ronald Reagan said nearly two decades ago: "The simple truth is that we've lost control of our own borders. . . and no nation can do that and survive."

We must mend our broken fences, literally and figuratively, one post at a time. And we must — each and every American among us, native-born and naturalized alike — recommit ourselves to the oath of citizenship that binds us to support and defend the laws and Constitution of the United States, against all enemies foreign and domestic, so help us God. 🇺🇸

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